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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,208	11/28/2001	Gregory W. Cox	CML00090N(69611)	1240

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FITCH EVEN TABIN AND FLANNERY  
120 SOUTH LA SALLE STREET  
SUITE 1600  
CHICAGO, IL 60603-3406

EXAMINER

PHILPOTT, JUSTIN M

ART UNIT

PAPER NUMBER

2665

DATE MAILED: 02/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/996,208

Applicant(s)

COX ET AL.

Examiner

Justin M Philpott

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Oath/Declaration***

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:  
It does not identify the citizenship of each inventor.

### ***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: link interface B (page 3, line 18), and link 108 (page 3, line 28). In particular, in FIG. 1, the link interface at the new router 104 connecting to existing router 103 should be labeled as "B" (it is presently incorrectly labeled as "A"), and the link connecting the new router 104 to the existing router 103 should be labeled as "108" (it is not presently labeled) in order to remain consistent with the specification. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the document by Narten et al. entitled "Neighbor Discovery for IP Version 6 (IPv6)" (Network Working Group, Request for Comments 2461, December 1998).

Regarding claims 1-3, 8 and 11-13, the IPv6 taught by Narten comprises identifying one or more active communication links to provide identified active communication links ("Router Advertisement", see 6.2 Router Specification, pages 40-49), and identifying whether the router needs a new address prefix for the identified active communication links (provided by "Neighbor Unreachability Detection", page 66). While the IPv6 does not provide for *automatic* identification of whether the router needs a new address prefix for the identified active communication link, it is known in the art to adapt an existing method to be automatic. Replacing a method that is performed manually with the same method performed automatically would provide obvious significant benefits, such as significant increased speed, reduced cost, and predictable and accurate performance, which would be obvious to one of ordinary skill in the art. That is, at the time of the invention it would have been obvious to one of ordinary skill in the art to adapt the known method of identifying whether a router needs new address prefixes for active links to be performed automatically, in order to provide obvious significant benefits such as significant increased speed, reduced cost, and predictable and accurate performance.

Regarding claims 4, 7, 14 and 15, the IPv6 further provides a user to determine whether a router needs to advertise a new address prefix for use by link endpoints by soliciting at least one

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router to advertise (section 6.2.2 "Becoming an Advertising Interface", page 44). For the same reasons discussed above regarding claims 1 and 11, at the time of the invention it would have been obvious to one of ordinary skill in the art to adapt this known step to be performed automatically. That is, at the time of the invention it would have been obvious to one of ordinary skill in the art to adapt the known method of determining whether a router needs to advertise a new address prefix for use by link endpoints by soliciting at least one router to advertise to be performed automatically, in order to provide obvious significant benefits such as significant increased speed, reduced cost, and predictable and accurate performance.

Regarding claims 5 and 9, the IPv6 further provides determining when a router has not received a prefix advertisement from another router for the same active communication link (see "AdvPrefixList", page 42).

Regarding claim 6, IPv6 further provides determining when a router has not received a prefix advertisement from another router for the same active communication link within a predetermined period of time (see "AdvReachableTime", page 41).

Regarding claim 10, IPv6 further provides a user to determine that the router needs to support the identified active communication link (see "Router Solicitation", page 17) when no other router has transmitted a prefix advertisement for an active communication link (see "AdvPrefixList", page 42).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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U.S. Patent No. 6,011,795 to Varghese et al. discloses a method for looking up prefixes,  
U.S. Patent No. 6,130,892 to Short et al. discloses a nomadic router which is configured automatically,

U.S. Patent No. 6,430,527 to Waters et al. discloses a prefix search circuitry and method,  
U.S. Patent Application Publication No. US 2002/0024965 by Lee discloses an apparatus and method for automatic router configuration, and

The article entitled "Dynamic Router Configuration Management for Wireless Mobile Environments" (Radio and Wireless Conference - RAWCON, IEEE, August 1998) by Lazear et al. discloses a method for dynamic router configuration.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin M Philpott whose telephone number is 703.305.7357. The examiner can normally be reached on M-F, 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D Vu can be reached on 703.308.6602. The fax phone numbers for the organization where this application or proceeding is assigned are 703.872.9314 for regular communications and 703.872.9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.305.4750.

Justin M Philpott



February 7, 2003



HUY D. VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600